

Notice of Change/Withdrawal

WATER MANAGEMENT DISTRICTS
South Florida Water Management District

RULE NO.: RULE TITLE:

40E-10.071 Water Reservation Areas: Upper and Lower Kissimmee Basin Planning Areas

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 46 No. 227, November 20, 2020 issue of the Florida Administrative Register.

40E-10.071 Water Reservation Areas: Upper and Lower Kissimmee Basin Planning Areas

(1) Upper Chain of Lakes

(a) No Change.

1. No Change.

2. Groundwater: Surficial aquifer system groundwater contributing to Lakes Hart-Mary Jane that is required for the protection of fish and wildlife is reserved from allocation in accordance with Subsection 3.11.5 of the Applicant's Handbook, incorporated by reference in Rule 40E-2.091, F.A.C., effective March 21, 2021.

(b) No Change.

1. No Change.

2. Groundwater: Surficial aquifer system groundwater contributing to Lakes Myrtle-Preston-Joel that is required for the protection of fish and wildlife is reserved from allocation in accordance with Subsection 3.11.5 of the Applicant's Handbook, incorporated by reference in Rule 40E-2.091, F.A.C., effective March 21, 2021.

(c) No Change.

1. No Change.

2. Groundwater: Surficial aquifer system groundwater contributing to East Lake Tohopekaliga or its contributing waterbodies that is required for the protection of fish and wildlife is reserved from allocation in accordance with Subsection 3.11.5 of the Applicant's Handbook, incorporated by reference in Rule 40E-2.091, F.A.C., effective March 21, 2021.

3. Contributing Waterbodies: Surface water that is required for the protection of fish and wildlife is reserved from allocation in accordance with Subsection 3.11.5 of the Applicant's Handbook, incorporated by reference in Rule 40E-2.091, F.A.C., effective March 21, 2021.

(d) No Change.

1. No Change.

2. Groundwater: Surficial aquifer system groundwater contributing to Lake Tohopekaliga or its contributing waterbodies that is required for the protection of fish and wildlife is reserved from allocation in accordance with Subsection 3.11.5 of the Applicant's Handbook, incorporated by reference in Rule 40E-2.091, F.A.C., effective March 21, 2021.

3. Contributing Waterbodies: Surface water that is required for the protection of fish and wildlife is reserved from allocation in accordance with Subsection 3.11.5 of the Applicant's Handbook, incorporated by reference in Rule 40E-2.091, F.A.C., effective March 21, 2021.

(e) No Change.

1. No Change.

2. Groundwater: Surficial aquifer system groundwater contributing to the Alligator Chain of Lakes or its contributing waterbodies that is required for the protection of fish and wildlife is reserved from allocation in accordance with Subsection 3.11.5 of the Applicant's Handbook, incorporated by reference in Rule 40E-2.091, F.A.C., effective March 21, 2021.

3. Contributing Waterbodies: Surface water that is required for the protection of fish and wildlife is reserved from allocation in accordance with Subsection 3.11.5 of the Applicant's Handbook, incorporated by reference in Rule 40E-2.091, F.A.C., effective March 21, 2021.

(f) No Change.

1. No Change.

2. Groundwater: Surficial aquifer system groundwater contributing to Lake Gentry or its contributing waterbodies that is required for the protection of fish and wildlife is reserved from allocation in accordance with Subsection 3.11.5 of the Applicant's Handbook, incorporated by reference in Rule 40E-2.091, F.A.C., effective March 21, 2021.

3. Contributing Waterbodies: Surface water that is required for the protection of fish and wildlife is reserved from allocation in accordance with Subsection 3.11.5 of the Applicant's Handbook, incorporated by reference in Rule 40E-2.091, F.A.C., effective March 21, 2021.

(2) No Change.

(a) No Change.

(b) Groundwater: Surficial aquifer system groundwater contributing to the Headwaters Revitalization Lakes or their contributing waterbodies that is required for the protection of fish and wildlife is reserved from allocation in accordance with Subsection 3.11.5 of the Applicant's Handbook, incorporated by reference in Rule 40E-2.091, F.A.C., effective March 21, 2021.

(c) Contributing Waterbodies: Surface water that is required for the protection of fish and wildlife is reserved from allocation in accordance with Subsection 3.11.5 of the Applicant's Handbook, incorporated by reference in Rule 40E-2.091, F.A.C., effective March 21, 2021.

(3) No Change.

(a) Surface Water: All surface water in the Kissimmee River (Figure 4-9) is reserved from additional allocations in accordance with Subsection 3.11.5 of the Applicant's Handbook, incorporated by reference in Rule 40E-2.091, F.A.C., effective March 21, 2021.

(b) Groundwater: Surficial aquifer system groundwater contributing to the Kissimmee River or its contributing waterbodies that is required for the protection of fish and wildlife is reserved from allocation in accordance with Subsection 3.11.5 of the Applicant's Handbook, incorporated by reference in Rule 40E-2.091, F.A.C., effective March 21, 2021.

(c) Contributing Waterbodies: Surface water that is required for the protection of fish and wildlife is reserved from allocation in accordance with Subsection 3.11.5 of the Applicant's Handbook, incorporated by reference in Rule 40E-2.091, F.A.C., effective March 21, 2021.

(4) The reservation contained in this rule and the criteria contained in Subsection 3.11.5 of the "Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District," incorporated by reference in Rule 40E-2.091, F.A.C., effective March 21, 2021, shall be reviewed and revised pursuant to Section 373.223(4), F.S., in light of changed conditions or new information, including any revised regulation schedules.

Rulemaking Authority: 373.044, 373.113, 373.171, F.S. Laws Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470, F.S. History- New _____.

Editor's Note: Please see the Word document for Chapter 40E-10 for the inclusion of the appendices referenced in the above rule text.

APPENDIX 1 through 4 No Change.